



IPRE DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *Lees et al.*

Group No.: 3721

Serial No.: 10/787,032

Examiner: Not yet assigned

Filed: February 25, 2004

I hereby certify that this paper is being transmitted by First Class Mail to: United States Patent and Trademark Office, Alexandria, VA 22313-1450 on this date.

For: DIRECT INJECTION  
MOLDED CLOSURE AND  
METHOD THEREFOR

10/05/2004 Signature  
Date Signature

Attorney  
Docket No: TRX-0628 CON01  
(4346/91547)

PETITION TO CORRECT FILING RECEIPT - PETITION TO CORRECT FILING

10/13/2004 HAL111 00000017 10787032

DATE

01 FC:1460

130.00 OP

Commissioner for Patents  
Mail Stop DAC  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Petitioner hereby petitions to correct the filing date in the above-identified application. The filing date granted is February 24, 2004. The actual filing date is February 25, 2004. The present Petition requests that this change be made.

The undersigned hereby submits that the application was, in fact deposited with the US Postal Service, as Express Mail, on February 25, 2004. A copy of the returned postcard, check, executed transmittals and certificate of express mail all bearing the date of February 25, 2004 is enclosed. It is only the USPS Express Mail receipt that shows the date of February 24, 2004. Applicant believes that the Express Mail receipt is incorrect and requests correction accordingly.

Serial No. 10/787,032  
October 5, 2004

Based on the above, your Petitioner respectfully requests that the Patent Office issue a corrected filing receipt indicating the filing date of February 25, 2004.

A check in the amount of \$130.00 is enclosed for the fee associated with the present petition.

Should there be any questions or concerns, it is respectfully requested that the undersigned be contacted. If any further fees are due, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920. If any further petitions are due, it is respectfully requested that that the present paper constitute such petition.

Should there be any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully submitted,

WELSH & KATZ, LTD.

By:

Mitchell J. Weinstein  
Reg. No. 37,963

October 5, 2004  
**WELSH & KATZ, LTD.**  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500

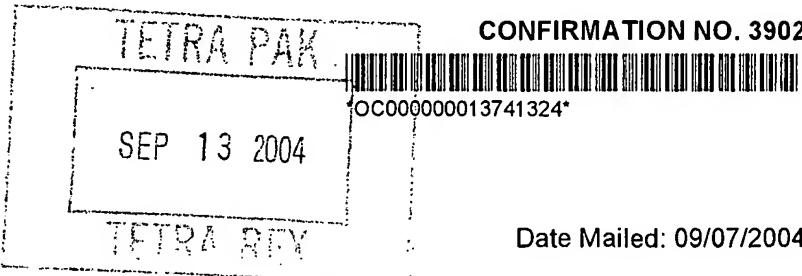


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/787,032	02/24/2004	John Lees	TRX-0628 CON-01 (4346/915)

US Intellectual Property Department  
 Tetra Pak, Inc.  
 101 Corporate Woods Parkway  
 Vernon Hills, IL 60089



Date Mailed: 09/07/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Application Filing Date

In response to your request for a corrected Filing Receipt, the Office cannot comply with your request because:

- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- The "date in" on the Express Mail label is the date given on the Filing Receipt.
- The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, to:

Box DAC

Washington, DC 20231

*J. M. C.*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Applicant(s) : Lees et al.  
Title: DIRECT INJECTION MOLDED CLOSURE  
AND METHOD THEREFOR  
Continuation of U.S. Patent Application Serial No. 10/124,968;

MJW/clf  
File No. TRX-0628 (4346/86935)

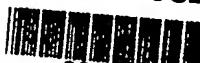
February 25, 2004

Enclosed: Transmittal Form (in duplicate); Fee Transmittal (in duplicate); Amendment Transmittal form (in duplicate); Preliminary Amendment (6 pgs); Declaration & Power of Attorney (4 pages); Application Data Sheet (8 pages); Drawing Change Request as Originally Filed (2 pages); 2 Corrected Sheets of Drawings as Originally Filed; 25-Page Specification as Originally Filed having 9 Claims (after amendment) and 1 page of Abstract; 9 Sheets of Informal Drawings; Check No. 05907 in the amount of \$770.00; Return Postcard; Certificate of Mailing No. EV 337104599 US dated February 25, 2004.

Mail Stop: Patent Application  
Commissioner for Patents

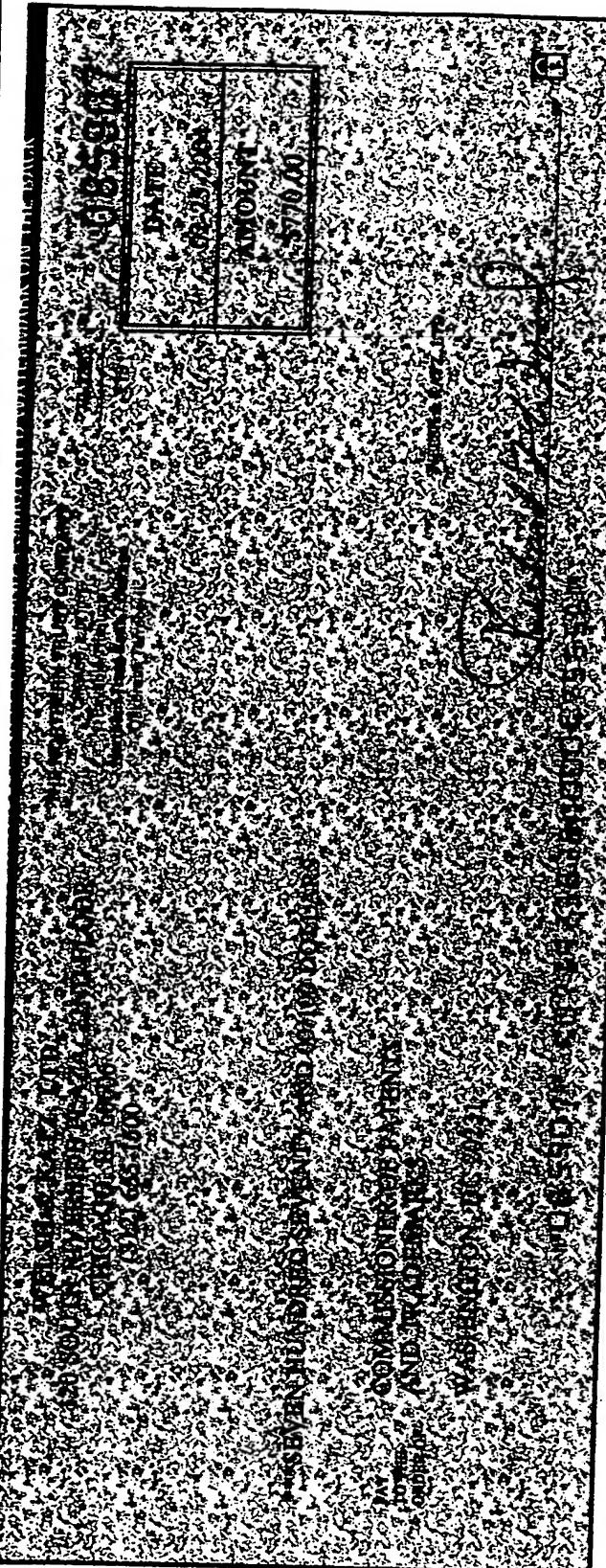
Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

22278 U.S. PTO  
10/787032



022404

Respectfully,  
Welsh & Katz, Ltd.



WELSH & KATZ, LTD.		CHECK DATE: 02-25-2004		CHECK NO. 85907	
DATE	INVOICE	VOUCHER	DESCRIPTION	NET	TOTAL
02-25-2004	022504-5	163366	434691547 - clif	770.00	\$770.00



# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

Attorney Docket No.	TRX-0628 Con 01 (4346/91547)
First Inventor	Lees et al.
Title	Direct Injection Molded Closure and Method Therefor
Express Mail Label	EV 337104599 US



APPLICATION ELEMENTS		ADDRESS TO:
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <b>25</b>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed Sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>9</b>]</p> <p>5. Oath or Declaration [Total Pages <b> </b>]        a. <input type="checkbox"/> Newly executed (original or copy)        b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))        (for continuation/divisional with Box 18 completed)        i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b>        Signed statement attached deleting Inventor(s)        named in the prior application, see 37 CFR        1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>Mail Stop Patent Application Commissioner for Patents P. O. Box 1450 Alexandria VA 22313-1450</p>
<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> Paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>		
<p><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other:</p>		

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: **10/124,698**

Prior application information: Examiner **Timothy W. Heithrink**Group / Art Unit: **1722**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number:	or <input checked="" type="checkbox"/> Correspondence address below		
Name	U.S. Intellectual Property Department		
Tetra Pak, Inc.			
Address	101 Corporate Woods Parkway		
City	Vernon Hills	State	IL
Country	US	Telephone	(312) 655-1500
Country		Zip Code	60089
Telephone		Fax	(312) 655-1501

Name (Print/Type): **Mitchell J. Weinstein, Esq.**Registration No. (Attorney/Agent): **37,963**

Signature

Date: **02/25/2004**

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

OCT 12 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**\$770.00**

## Complete If Known

Application Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Lees et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	TRX-0628 Con 01 (4346/91547)

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number **23-0920**Deposit Account Name **Welsh & Katz, Ltd.**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee		<b>770.00</b>	
1002 340	2002 170	Design filing fee			
1003 530	2003 285	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$)</b>	<b>\$770.00</b>		

## 2. EXTRA CLAIM FEES FOR UTILITY AND

	Extra Claims	Fee from below	Fee Paid
Total Claims	9 -20** =	0 X 18.00 =	0.00
Independent Claims	1 - 3** =	0 X 0.00 =	0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b> <b>\$0.00</b>

\*\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES		Fee Description		Fee Paid
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non - English specification		
1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 420	2252 210	Extension for reply within second month		
1253 950	2253 475	Extension for reply within third month		
1254 1,480	2254 740	Extension for reply within fourth month		
1255 2,010	2255 1,005	Extension for reply within fifth month		
1401 330	2401 165	Notice of Appeal		
1402 330	2402 165	Filing a brief in support of an appeal		
1403 290	2403 145	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,330	2453 665	Petition to revive - unintentional		
1501 1,330	2501 665	Utility issue fee (or reissue)		
1502 480	2502 240	Design issue fee		
1503 640	2503 320	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)		
1808 180	1808 180	Submission of Information Disclosure Statement		
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))		
1801 770	2801 385	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify)				

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY		Complete If Applicable		
Name (Print/Type)	Mitchell J. Weinstein, Esq.	Registration No. (Attorney/Agent)	37,963	Telephone (312) 655-1500
Signature		Date	02/25/2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## AMENDMENT TRANSMITTAL LETTER (Large Entity)

Docket No.

TRX-0628 Con 01 (4346/91547)

Serial No.

Not yet assigned

Filing Date

Herewith

Examiner

Not yet assigned

Group Art Unit

Not yet assigned

Invention: DIRECT INJECTION MOLDED CLOSURE AND METHOD THEREFOR

OCT 12 2004

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	9 -	20 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_

A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0920

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Signature

Dated: 02/25/2004

Mitchell J. Weinstein, Esq.  
Reg. No. 37,963

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Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



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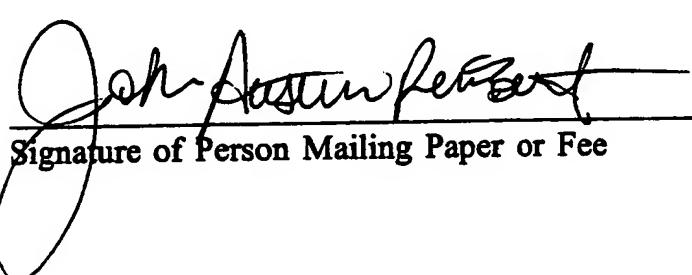
EV337104599US

Express Mail mailing label number EV 337104599 US

Date of Deposit: February 25, 2004

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John Rembert  
Typed or Printed Name of Person Mailing Paper or Fee

  
Signature of Person Mailing Paper or Fee

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